

ENTERED

February 24, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**BRANAUN GALENTINE,
Plaintiff,

v.

CITY OF COLLEGE STATION, ET
AL.,
Defendants.§
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Case No. 4:25-cv-0050

ORDER

Before the Court is Defendant Brazos County's Rule 12(b)(1) and 12(b)(6) motion to dismiss. ECF No. 15.¹ Brazos County argues that Plaintiff's allegations fail to: include dates and therefore runs afoul of limitations; overcome its governmental immunity; and state a claim for relief. ECF No. 15. Subsequently, Plaintiff filed an amended complaint with new allegations and contentions. ECF No. 16. Plaintiff's original complaint, the subject of the motions to dismiss, is no longer the operative complaint in this action. Instead, Plaintiff's amended complaint is now the live pleading. ECF No. 16. Accordingly, Defendant's motion to dismiss is **DENIED AS MOOT**. ECF No. 15.

IT IS SO ORDERED.

Signed at Houston, Texas, on February 24, 2025.



Dena Hanovice Palermo
United States Magistrate Judge

¹ The district judge to whom this case is assigned referred all pretrial proceedings pursuant to 28 U.S.C. § 636. *See* Notice of Referral, ECF No. 13.